

A RESOLUTION BY**TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEED AND OTHER NECESSARY AND APPROPRIATE DOCUMENTS TO RELEASE TWO (2) PARCELS OF LAND FROM THE DEED TO SECURE DEBT BETWEEN THE COLLEGE PARK BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY AND THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") owns and operates Hartsfield-Jackson Atlanta International Airport (the "Airport"); and

WHEREAS, the Airport is undergoing a major expansion, including the construction of a new Consolidated Rental Car Facility (the "CONRAC Facility") including access roadways, an Automated People Mover System, and other facilities and improvements; and

WHEREAS, in connection therewith, the City needs two (2) public right-of-ways owned by the City of College Park ("College Park") to be conveyed to the City; and

WHEREAS, College Park has agreed to convey to the City these two (2) necessary public right-of-ways; and

WHEREAS, the City previously conveyed certain parcels of land to the College Park Business and Industrial Development Authority ("BIDA") pursuant to that agreement, dated March 14, 1997, entitled "College Park Business and Industrial Development Authority Abatement Area Agreement For the Sale and Purchase of Real Property in the Noise Abatement Area"; and

WHEREAS, such parcels are subject to that certain secured promissory note (the "Master Land Note"), dated December 18, 1998, and that certain "Deed to Secure Debt", dated December 18, 1998; and

WHEREAS, BIDA now desires that two certain parcels (the "Property"), as depicted on Exhibit "A" attached hereto, be released from the Master Land Note and that certain Deed to Secure Debt; and

WHEREAS, in exchange for the two (2) right-of-ways (encompassing 58,047 square feet) necessary for the construction of the CONRAC Facility, the City has agreed to release the Property (encompassing 41,080) from the lien and encumbrance of the Deed to Secure Debt and to provide a credit of \$68,192.80 against the original principal balance of the Master Land Note.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to execute on behalf of the City of Atlanta a deed and other necessary and appropriate documents to release two certain (2) parcels, as depicted on Exhibit "A", from the lien and encumbrance of the Deed to Secure Debt and to provide a credit of \$68,192.80 against the original principal balance of the Master Land Note.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare a said deed and any other documents to evidence the release of the certain parcels of land and the credit against the Master Land Note.

BE IT FINALLY RESOLVED, that said deed and other necessary and appropriate documents shall not become binding on the City and the City shall incur no liability upon same until same, has been executed by the Mayor, approved as to form by the City Attorney, attested to by the Municipal Clerk, and delivered to the College Park Business and Industrial Development Authority.

Legislative White Paper

Committee of Purview: Transportation

Council Meeting Date: September 19, 2005

Legislation Title: A RESOLUTION BY A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEED AND OTHER NECESSARY AND APPROPRIATE DOCUMENTS TO RELEASE TWO (2) PARCELS OF LAND FROM THE DEED TO SECURE DEBT BETWEEN THE COLLEGE PARK BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY AND THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

Requesting Dept.: Department of Aviation

Contract Type: Agreement

Justification Statement: As stipulated in the Intergovernmental Agreement dated March 16, 2000, the City will convey to College Park such property as required to complete the right-of-way for Global Gateway Connector.

Background: The Global Gateway Connector (Riverdale Road Extension) was not constructed, but was anticipated, at the time of execution of the Intergovernmental Agreement dated March 16, 2000. The right-of-way for the road was expected to overlap certain parcels, full limits unknown at the time, of the CONRAC lands and other Master Land Contract parcels. Construction of the roadway has been completed, and College Park has requested, under the terms of the Intergovernmental Agreement, that parcels necessary for the completion of the right-of-way be conveyed to College Park.

Fund Account Center: N/A

Source of Funds: N/A

Term of Contract: 50 years

Method of Cost Recovery: N/A

Approvals:

DOF:

DOL: Yes

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